

Message Text

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13

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SUBJECT: MULTILATERAL AFFAIRS: SRI LANKA DRAFT RESOLUTION ON LOS

REF: COLOMBO 2873

FRIENDLY EMBASSY HAS PROVIDED TEXT OF SRI LANKA'S DRAFT
RESOLUTION. TEXT FOLLOWS: QUOTE:

THE FIFTH CONFERENCE OF HEADS OF STATE OR GOVERNMENT OF
NON-ALIGNED COUNTRIES MEETING AT COLOMBO FROM 9 TO 19
AUGUST 1976.

DEEPLY CONVINCED THAT THE EXISTING LAW OF THE SEA,
DESIGNED TO PERPETUATE THE FUNDAMENTALLY EXPLOITATIVE
RELATIONSHIPS OF THE COLONIAL ERA MUST BE REPLACED WITH
A NEW LEGAL REGIME WHICH WILL ENSURE THE EQUITABLE DISTRI-
BUTION OF THE RESOURCES OF THE OCEANS AMONG MANKIND AS A
WHOLE,

REAFFIRMING THE FUNDAMENTAL PRINCIPLES CONTAINED IN THE
DECLARATION OF PRINCIPLES GOVERNING THE SEA-BED AND THE OCEAN
FLOOR AND THE SUB-SOIL THEREOF BEYOND THE LIMITS OF NATIONAL
JURISDICTION (GENERAL ASSEMBLY RESOLUTION 2749(XXV)),
WHICH DECLARED, INTER ALIA, THAT:

QUOTE:"THE SEA-BED AND OCEAN FLOOR AND THE SUB-SOIL THEREOF
BEYOND THE LIMITS OF NATIONAL JURISDICTION (HEREINAFTER REFERRED
TO AS THE AREA); AS WELL AS THE RESOURCES OF THE AREA, ARE
THE COMMON HERITAGE OF MANKIND," AND "THE EXPLORATION OF THE
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AREA AND THE EXPLOITATION OF ITS RESOURCES SHALL BE CARRIED

OUT FOR THE BENEFIT OF MANKIND AS A WHOLE IRRESPECTIVE OF THE GEOGRAPHICAL LOCATION OF STATES, WHETHER LAND-LOCKED OR COASTAL AND TAKING INTO PARTICULAR CONSIDERATION THE INTERESTS AND NEEDS OF THE DEVELOPING COUNTRIES"

RECALLING THE BASIC GUIDELINES FOR ACTION AGREED UPON AT THE FOURTH CONFERENCE OF HEADS OF STATE OR GOVERNMENT OF NON-ALIGNED COUNTRIES MEETING AT ALGIERS IN SEPTEMBER 1973 AND CONTAINED IN THE POLITICAL DECLARATION, ESPECIALLY IN PART V THEREOF, RESOLUTION NO. 13 CONCERNING THE LAW OF THE SEA AND IN THE ACTION PROGRAMME FOR ECONOMIC CO-OPERATION AND THE ECONOMIC RESOLUTIONS,

RECOGNIZING THE FACT THAT THE PRINCIPLE THAT THE RESOURCES OF THE AREA BEYOND NATIONAL JURISDICTION ARE THE COMMON HERITAGE OF MANKIND, EVOLVED BY THE DEVELOPING COUNTRIES, IS A FUNDAMENTAL PRINCIPLE OF INTERNATIONAL LAW,,

BELIEVING IT ESSENTIAL THAT ALL STATES ENSURE COMPLIANCE WITH GENERAL ASSEMBLY RESOLUTIONS 2749 (XXV) AND 2574 (XXIV), AND THE STATEMENT OF THE PRESIDENT OF THE LAW OF THE SEA CONFERENCE THAT THE RESOURCES OF T

T INTERNATIONAL AREA MAY NOT BE EXPLOITED BY A STATE OR PERSON, NATURAL OR JURIDICAL, PENDING THE ESTABLISHMENT OF THE INTERNATIONAL REGIME;

1. TAKES NOTE OF THE PROGRESS ACHIEVED BY THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA TOWARDS THE ESTABLISHMENT OF A NEW LEGAL REGIME OF THE OCEANS;

2. WELCOMES THE UNIVERSAL AFFIRMATION OF A COASTAL STATE'S JURISDICTION OVER THE RESOURCES OF THE EXCLUSIVE ECONOMIC ZONE;

3. CALLS UPON THE TECHNOLOGICALLY ADVANCED COUNTRIES TO APPROACH THE NEGOTIATIONS AT THE CONFERENCE WITH A VIEW TO CONCLUDING A CONVENTION WHICH WILL GIVE EFFECT TO THE PRINCIPLE OF THE COMMON HERITAGE OF MANKIND;

4. URGES THE CONFERENCE TO ESTABLISH A REGIME FOR THE PROMOTION AND DEVELOPING OF MARINE, SCIENTIFIC AND TECHNOLOGICAL CAPACITY OF DEVELOPING COUNTRIES WITH REGARD TO ALL ASPECTS OF EXPLORATION, EXPLOITATION, CONSERVATION LIMITED OFFICIAL USE

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AND MANAGEMENT OF MARINE RESOURCES THROUGH CO-OPERATION IN THE TRANSFER OF TECHNOLOGY AND OTHER MEANS;

5. SUPPORTS THE ESTABLISHMENT OF A PREFERENTIAL REGIME FOR THE LANDLOCKED AND GEOGRAPHICALLY DISADVANTAGED DEVELOPING COUNTRIES IN RESPECT OF ACCESS TO USE OF THE SEAS AND THE EXPLOITATION OF LIVING RESOURCES IN AREAS OF NATIONAL JURISDICTION WITHIN THE PARTICULAR REALITIES OF EACH REGION

AND IN THE INTERNATIONAL AREAS AS A WHOLE;

6. CALLS UPON THE CONFERENCE TO ESTABLISH A NEW REGIME OF THE OCEANS WHICH WILL EFFECTIVELY ENSURE THE SECURITY OF STATES AND RESPECT FOR THEIR SOVEREIGNTY AND TERRITORIAL INTEGRITY BY THE ELIMINATION OF THREATS TO THIS SECURITY MANIFEST IN THE CLAIMS OF THE MAJOR MARITIME POWERS AND THE TECHNOLOGICALLY ADVANCED COUNTRIES FOR UNRESTRICTED USE OF THE OCEANS;

7. STRESSES THE IMPORTANCE AND THE URGENCY OF THE CONCLUSION, AT THE CURRENT SESSION OF THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA, OF AN INTERNATIONAL CONVENTION BASED ON THE TWIN PRINCIPLES OF EQUITABLE DISTRIBUTION OF RESOURCES AND THE COMMON HERITAGE OF MANKIND.
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